# FELLOWSHIP

January 1945 — Vol. XI—No. 1

## Peacetime Conscription Unconstitutional

By HARROP A. FREEMAN

## Non-violence and Natural Force

By RICHARD B. GREGG

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OF RELIGION

## World Settlement and Japan

A STATEMENT BY TWENTY-THREE MISSIONARIES

## A Victory of Non-violence

**WHILE the Great Powers are allowed to raise conscript armies without hindrance or limit it would be vain to expect the lasting preservation of world peace. If the instrument is ready for use the occasion will arrive and the men will arise to use it. I look upon conscription as the taproot of militarism; unless that is cut out all our labors will eventually be vain.**

**—Jan Smuts**

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## FROM MY STANDPOINT

# John Haynes Holmes

GENERAL EISENHOWER was a poor prophet after all! Knowing more about the Western Front than any other living man, he prophesied that the war against Germany would end this year (1944). But it has not ended! On the contrary, the troops of the United Nations are hardly within the German frontiers. If Berlin is the goal, then the conclusion of this war is still far removed into the future. We shall be lucky if the hoped-for V-Day comes even in this year 1945.

General Eisenhower's error can hardly be attributed to any failure to estimate aright the power and skill of the Allied offensive. The commanding general knew his troops, their armament, the plan of operations, and was undoubtedly justified in guaranteeing a calendar which called for the conquest of Germany within the year just passed. What he did not know, or at least did not reckon at its true value, were two other factors in the situation.

(1) The first was the resistance of the German armies. This resistance seemed to be a feeble thing on the beachheads and across the terrain of France, but the moment it reached in retreat the soil of the Reich, it stood firm. For weeks now the advance against the Nazi defense has been yard by yard, even inch by inch, and every step of the way has been dyed with precious blood. The Nazi fighters, in other words, have been valiant, their officers able, their equipment amazing.

Of course, we are not allowed to recognize the heroism and skill of these hostile defenders of their native land. When our own troops were resisting the enemy at Corregidor, with no hope of relief, but resolved to hold out to the last grim moment and the last gallant soldier in the ranks, we acclaimed these American and Filipino boys for what they were—the bravest of the brave! But when the Nazis at Aachen did precisely the same thing—held the German citadel under the fiercest conceivable bombardment of artillery and planes—we called them fanatics and madmen. Why did they not surrender a fortress which would have to be surrendered in the end anyhow, and thus spare both sides of the conflict hours of agony and hundreds of dead? But why didn't our boys surrender at Corregidor, and thus spare the same agony and the same slaughter? The psychology of the one case is the same as that of the other, and the same also the moral fibre of the fighters. The Nazis, curiously enough, when defending their own, are as courageous and determined, and as unyielding, as all patriotic soldiers have been since the beginning of the world. We thought that the Nazi ranks would crumble at the first touch of our attack. But human nature is the same in every country as in every age. We are up against what is in ourselves. Which means that the Germans are a tougher military proposition than we had imagined!

(2) The second factor which General Eisenhower did not reckon with was the stupid stubbornness of the political leaders of the United States and Great Britain. It was at Casablanca, if I remember rightly, that Mr. Roosevelt proclaimed, with Mr. Churchill's approval, the policy of "unconditional surrender." This policy, of course, means war to the bitter end, for no people will surrender themselves helplessly into the grip of the enemy, with no guarantee, or even suggestion, as to their fate. Suppose *we* were in the plight of the German people today—girded about with enemies demanding that we lay down our arms in utter subjection to our foe. Would we not fight to the last drop of our blood and the last gasp of our breath?

William L. Shirer wrote early in the war that "one of the prime springs which push the German people along . . . is their growing fear of the consequences of defeat." On August 5th last, the *New Statesman* (London) reported a message smuggled out of Germany to the effect that there could be no opposition to Hitler in Germany "so long as the only perspective so far presented to the German people is unconditional surrender." Contrariwise, give the Germans assurance of "a just and tolerable peace, and we shall shorten the war by hastening the fulfilment of the Prime Minister's pious hope, voiced in the famous broadcast of July 1941, 'The best solution will be if the Nazi regime is torn to pieces by the German people themselves.' "

This stubborn adherence to "unconditional surrender" is continuing the war indefinitely, and sacrificing the lives of unnumbered thousands of our most gallant fighting men. And to what end? Not the gaining of the war's just purposes, for these are already gained. The enemy is beaten, hopelessly beaten; he knows it, and we know it. By the mere naming of terms, therefore, we could end the war tomorrow, and in so doing liberate the occupied countries, spare the Jews further agony and death, restore refugee populations to home and country, begin the work of disarmament and peace, and enter at last upon the prodigious task of restoring Europe to the world. But no, say our rulers, we must go on! For this war must not stop until we have killed Hitler, annihilated the Nazis, bowed the Germans beneath the yoke of slavery, dismembered their territory, destroyed their industries, blasted their very life. What Rome did to Carthage—that is what we propose to do to the Reich!

It may be well to remember that we are far advanced into the sixth year of this Second World War, and well started on the fourth year of our own war with Japan. This compares with four years of the First World War and eighteen months of our participation in that war. How long do we propose to keep this going? How long will we be able to pour out our blood and treasure? What gain can compensate for such loss? What will posterity think of a madness which could thus wreak suicide upon mankind.

Nothing is so important at this moment as to stop this war. The Pope is right. Listen to his words:

*Nothing, nothing is lost by peace. Everything may be lost by war. . . .*

*More than ever the minds and hearts of peoples are tormented by doubt whether continuation of (this) war can be in accordance with national interest, reasonable and justifiable before Christian and human conscience. . . .*

*Therefore we turn to all those whose task it is to promote agreement and harmony for peace. . . . Do not disturb or impede the desires of peoples for peace by actions which, instead of encouraging confidence, rather inflame hatreds anew and strengthen determination to resist. . . .*

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# FELLOWSHIP

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**Though the militarists are planning a huge post-war army and navy, a constitutional lawyer considers**

# Peacetime Conscription Unconstitutional

By HARROP A. FREEMAN*

WITH YOUR PERMISSION I shall take you on a brief excursion into the very heart of constitutional law—the relation of the individual and the government. I make no apology for this article being "heavy"; pacifists are wont to think in religious terms, but if they intend to make a significant impact on issues like conscription they will find it necessary to think in legal terms. Conscription is a creation of the "law."

I

Extreme advocates of military power have gone so far as to claim that the Constitution is inoperative in wartime. Their opponents, on the other hand, have contended that our government has no legal power of conscription for any purpose, at any time. Truth lies near the median. Both the states and the nation do have war powers, yet these are designated and limited by the Constitution.

Many pacifists have conceded the *right* of the federal government to conscript men in peace or war and they have further admitted that there is no constitutional right of a conscientious objector—the privilege being merely one granted, or withheld, by Congress. They have, in general, done this on the basis of certain language which they found in decisions of the United States Supreme Court. But many constitutional lawyers—including those who are not pacifists—would not concede the above. The constitutional lawyer's perspective may be set forth briefly in six rules particularly pertinent:

1. *Dicta,* i. e., incidental remarks not necessary to a court's decision, *are no authority in later cases.* There is no authoritative decision supporting peacetime conscription; there are at most dicta.

2. *The mere fact that a decision is made does not persuade the lawyer that it is correct.* If it is unsound he counts upon its later reversal. Many laymen know that the Supreme Court within the past 18 months has reversed former Supreme Court decisions in the First Flag Salute Case, the White Primary Case, and other cases which have limited individual liberties.

3. There is a strong and growing recognition by the Court that *civil rights of individuals "have preferred position in our basic scheme"* (Prince v. Mass.) and must be protected against government encroachment, even though the government is thereby incommoded. This development has occurred since the Draft Law cases of 1917.

4. In our plan of government *the civil is supreme over the military.* This is stated in the Declaration of Independence, the constitutional debates, decisions by the courts, and opinions of great law writers such as Roscoe Pound of Harvard.

5. *No emergency, not even war, suspends the Constitution.* This central thesis of constitutional law has been reaffirmed in at least six cases since 1937.

6. The federal government has *only those powers granted it by the Constitution* and must keep within those powers.

The changed temper of the Supreme Court, against which the issue of peacetime conscription must be tested, can be illustrated by reference to two contrasting cases. During the last war in *Gilbert v. Minnesota,* the Supreme Court held that a man could be found guilty of causing disaffection in the armed services for saying:

> "Have you had anything to say as to whether we would go into this war? You know you have not. If this is such a great democracy, for Heaven's sake why should we not vote on conscription of men? We were stampeded into this war by newspaper rot to pull England's chestnuts out of the fire for her. I tell you if they conscripted wealth like they have conscripted men, this war would not last over forty-eight hours."

In 1943, under a similar statute, the Supreme Court held that a person could *not* be found guilty of a crime for stating:

> "that it was wrong for our President to send our boys across in uniform to fight our enemies; that it was wrong to fight our enemies; that these boys were being shot down for no purpose at all; . . . that the quicker people here quit bowing down and worshiping and saluting our flag and government the sooner we would have peace."

The Court also decided that it is not a crime to pass out literature which reads in part:

> "Almighty God commands that they (true Christians) must remain entirely neutral in the controversy . . . the so-called democracies hold out no hope of peace, security, life or happiness . . . if there is a conflict between state law and what Jehovah's witnesses conceive to be Jehovah's law, the state law should not be obeyed. . . ." (*Taylor v. Mississippi*).


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Reprints of this article are available at 25 cents a dozen, $1.50 a hundred, or $12.00 a thousand.

## II

A constitutionally sound military program cannot stand for its support on only one phrase or one clause or one power in the Constitution. It must be formulated in the light of the entire document, reconciling and integrating the various powers and limitations therein contained. The constitutional provisions relating to the military are fairly well known; but are set forth here for easy reference:

Art. I, Sec. 8: "The Congress shall have Power . . . To declare War . . . To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

"To make Rules for the Government and Regulation of the land and naval Forces;

"To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrection and repel Invasions;

"To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress; . . .

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers . . ."

Art. II, Sec. 2. "The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several states, when called into the actual Service of the United States; . . ."

Although attempts have been made to spell out a federal power to "provide for the common defence," there is no such power conferred by the Constitution. These words are employed only in two places, in the Preamble (which never creates power) and as a *limitation upon* the taxing and spending power of the United States in Article I, section 8.

### *Background of the Constitutional Plan*

One of the grievances set forth in our Declaration of Independence as justification for overthrowing government was: "He has kept among us, in times of peace, Standing Armies. . . ." In England there had long been opposition to standing armies. They were condemned in the Petition of Right in 1628, and in the Bill of Rights; they were branded as dangerous and contrary to the theory of government by Blackstone. Parliament had developed the militia system and disbanded in peacetime the whole King's army.

We colonists inherited and carried on this opposition. The Continental army was disbanded by Congress within two months of the end of the war. In the Constitutional Convention no voice asked for a large standing army; some demanded a small volunteer army or well organized militia. Attempts were made to limit the army to two thousand. In the Convention the first voice heard on the military power, was "against standing armies in time of peace. . . . The people were jealous on this head." The last voice asked "that the liberties of the people may be better secured against the danger of standing armies in time of peace." Nearly every state in ratifying the Constitution made extra sure of the constitutional plan by recording its opposition to standing armies.

And our forefathers did more than talk and draw up rules. They adopted a state militia system intended to render standing armies unnecessary, and a system which would be subject as little as possible to conversion into a federal army. The first draft of the Constitution authorized a *"militia of the United States."* But the debates following showed that the people were *unwilling to create a federal militia;* that they conceived that able-bodied men owed a duty of military service to the several states; therefore the above provision was stricken out and the President was made commander in chief of "the *Militia of the several States.*"

The federal government was finally given only the power of providing for the "organizing, arming, and disciplining" of the state militia; the states were to appoint the officers and do the training. Mr. King, one of the drafters of the final provision, explained the federal power to his fellow delegates at the Constitutional Convention before they would ratify, thus:

"by *organizing,* the committee meant, proportioning the officers and men—by *arming,* specifying the kind, size, and calibre of arms —and by *disciplining,* prescribing the manual exercise, evolutions, etc."

The original draft of the Constitution also authorized Congress to "*make* war." This was changed to "*declare* war" for the express purpose of "clogging rather than facilitating war; but for facilitating peace." President Washington, one of the strong advocates of almost unlimited federal war powers, was the first to recognize that his plan had been rejected and that limitations had been imposed. In his letter transmitting the proposed Constitution to Congress he said:

"The friends of our country have long seen and desired that the power of *making* war, peace, and treaties; that of levying money and regulating commerce; and the correspondent executive and judicial authorities, shall be fully and effectually vested in the general government of the Union. But the impropriety of delegating such extensive trust to one body of men is evident. *Thence results the necessity of a different organization."*

Many people look to the term "to raise armies" and say, "that is without limitation, surely that grants the right of conscription." Hamilton, one of the strongest advocates of unlimited federal power, in the Federalist (XXIII) did argue that "these powers (including raising armies) ought to exist without limitation," yet he went on to point out that this was an authority to raise armies "in the customary and ordinary modes practiced in other governments." It is clear he had in mind *mercenaries* and *volunteers* for he answered the charge that a large army could suddenly be created by saying "an army so large as seriously to menace those liberties, could only be formed by progressive augmentations." If we recall that Col. Colby says that conscription occurred first in France in 1798 it is reasonably clear that our forefathers did not include it as one of the powers given.

### *The Constitutional Pattern*

We can now begin I think, to see the pattern intended by our forefathers. They were unwilling to limit the army to a specific number (2,000) but they did want a *small* army. Therefore they gave Congress the power of the purse which they deemed a sufficient control—no one congress could launch us on a greatly expanded program, since appropriations every two years were necessary. The framers of the Constitution were unwilling to give the federal government control of the general manpower (militia) in time of peace, but they would give it the right to call forth the militia in wartime. It was their opinion that a large standing army or force which could be called

for other purposes than to repel invasion would invite attack. This policy of avoiding aggressive war or excuse for attack, was sound then and is sound now.

The various provisions of the Constitution make sense when they are read together as coherent parts of a total plan. I have summarized the interrelation of its provisions:

*In Peacetime:*

1. The federal government cannot conscript the general manpower of the country for training. The adult manpower constitutes the militia, a state organization which exists without conscription. These men can only be trained by the states as a militia, i. e., at home, "civilians primarily (shopkeepers, doctors, laborers), soldiers on occasion."

2. Women are not part of the militia and cannot be conscripted or trained for military service, either by the state or federal governments.

3. Those who are conscientiously opposed to war are not a part of the militia and cannot be trained for military service (see discussion on conscientious objectors).

4. It was intended that the federal government should have a small standing army of volunteers. The states were to maintain no troops.

*In Wartime:*

1. War is a factual condition and may exist without formal declaration, thus bringing into play the war powers.

2. There is no limit to the size of the federal volunteer army or its use—congressional control is assured through the purse.

3. When attacked, the federal government may call, by draft or other fair method, any or all of the state militia (general manpower) into the national service until the attack is repulsed. The federal government may use these men abroad, for 'repel' includes to 'drive back.' The attack may hit the mainland, a possession, or perhaps a ship.

4. If the states have not kept up their militia the federal government can call the general state manpower directly into a federal "wartime army" as though they were calling out state forces.

5. Protection of religious freedom exists in wartime as in peacetime, and persons conscientiously opposed to war cannot be conscripted for military service or compelled to fight.

These principles were well understood by the states and the federal government, and early both acted in accordance. The states began by making able-bodied citizens (with certain exceptions) a part of the militia of each state. The federal government enacted regulations as to arms, proportion of officers, etcetera. In the early period it was agreed that the states had major control of their militia, including the right to grant exemptions. The first federal statutes referred to the "militia of the respective States"; the first empowerment for the President to call forth the militia referred to "such number of the militia of the state or states."

Not until 1863 was it suggested that there was a duty on the part of individuals to render *federal* militia service. In fact, the law of March 3, 1863, was in such form that it could be considered a calling forth of state militia *or* a creation of a federal militia. This general plan was followed in the law of 1898, the draft law of 1917, and the Selective Service Law of 1940. *In time of war* the federal government has power to call out the general manpower (that is, the state militia) under its power to repel invasion. And the term invasion probably includes invasion of our "territory" in the form of our island possessions or our merchant ships. *In time of war* it may make no difference whether the statute speaks of all citizens as being drafted into a national force or of the nation as calling forth the state militia. It has the power to cause the manpower to fight. But *in time of peace* the federal claim for power cannot fall back on authority to call out the general manpower to repel invasion; it has to find support, if any, in the general constitutional powers concerning the general manpower (militia). But we have seen that these powers reside in the states. This is borne out by the recent United States Supreme Court decision in *United States v. Miller*, where the court said:

> "The Militia which the States were expected to maintain is set in contrast with Troops which they were forbidden to keep without the consent of Congress. The sentiment of the time strongly disfavored standing armies; the common view was that adequate defense of country and laws could be secured through the Militia—civilians primarily, soldiers on occasion."

III

A word needs to be said about the cases pertaining to conscription. In *Kneedler v. Lane* the highest court in Pennsylvania upheld the Civil War draft. It is interesting to note that the first time the case came before the court it was held *un*constitutional by a vote of 3 to 2. In the election of that year the Chief Judge was defeated and Judge Agnew was elected in his place. The case was then brought up again and the act held constitutional by a vote of 3 to 2. There is evidence that the government avoided taking the case to the United States Supreme Court for fear of losing there. Recently an unpublished opinion of Justice Taney (then on the Supreme Court) has come to light, in which it appears that he would have held the draft unconstitutional. It is now lodged in the New York Public Library. The *Selective Draft Act* cases in 1917, from a constitutional law point of view, are not well reasoned. There has been no Supreme Court decision during the present war. The few cases which reached the lower courts *prior* to Pearl Harbor either held that war in fact existed or that the only question involved was refusal to register, which could be compelled as a census in peacetime. No case is therefore authority on peacetime conscription.

IV

The pacifists have accepted all too easily—more readily than teachers of constitutional law—the statements of the Supreme Court in the *MacIntosh and Hamilton v. Board of Regents* cases:

> "The privilege of the native-born conscientious objector to avoid bearing arms comes not from the Constitution but from the acts of Congress."

The three cases usually referred to—MacIntosh, Hamilton, and Schwimmer—did not involve this issue. They involved persons seeking a *privilege*, not a *right* guaranteed them. Rosika Schwimmer and Professor MacIntosh were applying for citizenship (a privilege); in the Hamilton case two students wanted to attend a university without taking military drill (they were not compelled to attend). These cases should now be read in the light of recent court opinions. In *Barnette v. W. Virginia*, the Supreme Court held

in 1943 that a person conscientiously opposed need not salute the flag; it distinguished it from the Hamilton case by saying: "In the present case attendance is not optional." In the *Schneiderman* case the Court refused to take away the citizenship of an avowed communist; the majority of the court referred over six times to the minority (losing) opinion in the Schwimmer and MacIntosh cases with which they said they "agreed." Neither the Schneiderman nor the Barnette case could have been decided without holding that the right of free opinion and free religious belief were constitutional rights which could not be taken away by the legislature. The attitude of the court is apparent from these quotations from the Barnette case:

"The freedom asserted by these appellees does not bring them into collision with rights asserted by any other individual. . . .

"Government of limited power need not be anemic government. Assurance that rights are secure tends to diminish fear and jealousy of strong government, and by making us feel safe to live under it makes for its better support. Without promise of a limiting Bill of Rights it is doubtful if our Constitution could have mustered enough strength to enable its ratification. To enforce those rights today is not to choose weak government over strong government. It is only to adhere as a means of strength to individual freedom of mind in preference to officially disciplined uniformity for which history indicates a disappointing and disastrous end. . . .

"Those who begin coercive elimination of dissent soon find themselves exterminating dissenters. Compulsory unification of opinion achieves only the unanimity of the graveyard.

"It seems trite but necessary to say that the First Amendment to our Constitution was designed to avoid these ends by avoiding these beginnings. . . .

"The action of Congress in making flag observance voluntary and respecting the conscience of the objector in a matter so vital as raising the Army contrasts sharply with these local regulations. . . .

"But freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order.

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein."

Washington's letters show that he was perfectly aware of the religious objector, for they (the Quakers) "chose rather to be whipped to death than to bear arms, or lend us any assistance whatever upon the fort, or anything for self-defense." In his letter to the Quakers following his inaugural he said they were "exemplary and useful citizens" . . . "except their declining to share with others the burthen of the common defence." The histories are clear that "religious liberty" included the right to refuse to bear arms. The exemption of "persons conscientiously scrupulous of bearing arms" was referred to as a recognized principle in the first congressional debate on the militia bill. There was considerable opinion that it was "contrary to the Constitution" to make objectors pay a fee for exemption.

This does not mean that Congress may not reasonably regulate this constitutional right. But I doubt whether alternative service with all its ramifications today (lack of provision for dependents; distinctions between "religious" and "conscientious"; withholding of pay; closeness of "military supervision," etc.) is a proper regulation. In my humble opinion the issue would be much sharper and more clearly presentable to a court if we were not encumbered with an alternative service clause.

# World Settlement and Japan

**The following statement of Christian principles as they apply to the treatment of the Japanese people after the war was formulated in co-operation by the men whose signatures are affixed—all of them former missionaries to Asiatic countries.**

WE WHO HAVE LIVED AND WORKED IN ASIA in the service of the Christian mission believe that at every stage in national and international life there is a way forward under God's purpose that can be ascertained and taken. The world is in crisis because the nations have followed other ways. The present war grows out of corporate selfishness and injustices to which every people has contributed. And whatever may be God's judgment as to relative guilt among the nations, we as Christians must accept as our primary obligation the frank facing of the war's causes, of our part in them, and of measures for betterment.

## Causes of the War

Chief among the causes, in the political field, is the emergence of modern nation-states. The philosophy underlying them all, though varying in degrees of application, rests upon two absolute claims. Over every citizen the State asserts its ultimate authority; toward all other States it asserts its complete autonomy and recognizes no will but its own. Thus, though for many peoples the achievement of statehood has meant genuine advancement, the Nation-State in its pretensions to absolutism has led to international paganism and anarchy.

Our nation is one of the "Great Powers" which have acquired large portions of the lands, resources and peoples of the earth as their possessions. Whatever purpose this system may have served in its day, it is an anachronism in our new world, and it is one of the central causes of war. If this war is to be anything more than merely a struggle between competing empires, the principle of empire itself must be abandoned.

The economic causes of war run deep and wide. At home our society is being rocked to its foundations by a pagan view of wealth and an irresponsible use of money power. But abroad, aggressive economic power has wrought even greater havoc, and to entire peoples.

Racial and social antagonisms are another cause, as well as a product, of the present war. While justly condemning the racial attitudes of certain other nations, the people of the United States have not been free from unworthy prejudices and practices, especially with respect to persons of the so-called colored races.

## World Community

We, the signers of this document, repent of our complicity in these and other causes of wars. We call upon our

fellow Americans to take a similar stand. We believe that the teachings of Jesus, and the universally valid principles by which he lived, point the way toward the creation of a world community of spirit and interest and that upon this strong base a new order can be erected for the world's peoples.

We are convinced that there must be an authority in the political field which will be disinterested and judicial in the administration of law and the settlement of disputes. Its jurisdiction must extend to all nations, the victors and the vanquished alike, and all should participate in it without discrimination. It should have competence to advance the interests of dependent and backward peoples. Its functions must be not only regulatory but also constructive in the creation of a body of patterns for mutual relations among the nations, conducive to human welfare and to the removal of the causes of war. This we urge as a sharp alternative to any of the plans for world or regional organization of the victory on the part of the victors alone and by force of arms. Such plans, although now commonly proposed as the only next step possible, are—we believe—a step in the wrong path, and therefore to be rejected for the all-inclusive international organization plan.

## Case of Japan

As regards Japan, we see no solution to the problem of her life in the post-war world except in relation to some such new order as we have proposed. The Japanese people have qualities of character and leadership that are needed in the reconstruction of the life of Asia. For decades Japan played a worthy role in the modernization of the East, and she may do so again. She was caught and enmeshed in the same pagan view of life and swept by the same forces of economic expansion that have played upon the other modern nations; only the credulity and loyalty of her people were more ruthlessly exploited by her military masters, and her cycle of exploitation, empire and war has been even more swift and extreme.

We regard as seriously defective the proposals widely made for the post-war treatment of Japan. They are coercive, destructive and punitive. They seem to call for a ruthless destruction of life and property until unconditional surrender is followed by a military occupation. The United Nations are then to enforce a reconstruction of the internal life of the Japanese people, politically, economically, industrially and in spiritual outlook. Japan is to be demoted from the rank of the first technologically developed nation of Asia to that of a third-rate agricultural people.

Such a plan for the elimination of Japan as a threat in the post-war world is, we believe, not only futile and impossible of enforcement, but it is open to ethical question throughout. It has slight chance of eliciting from the Japanese people the voluntary cooperation without which they cannot be restored to national health and without which peace in the Far East will be extremely precarious.

With an international order that would impartially safeguard the welfare of all the peoples of Asia, this drastic surgery of Japanese nationhood would be unnecessary. Her domestic reconstruction could begin immediately upon the cessation of war, and it could be carried out largely by herself. Nor is it likely that she ever again would become a threat to the security of her neighbors. Any international body competent to maintain its authority over the great Western Powers in Asia could readily check any possible act of lawlessness on the part of Japan. Furthermore, with tribunals handling disputes and providing for peaceful change, the chief incentives to war will be removed and the people of Japan may be expected to return to normal patterns of behavior.

If, on the other hand, conditions are left much as they are, and America and her allies are content with the destruction of Japan while retaining or augmenting their power-hold upon the life of Asia, the Pacific area is likely to become the world's cockpit of empire. Imagination fails in contemplation of the explosive possibilities of the Pacific Basin if we renounce the attempt to create a new order of life for its people and drift on our way of power-struggle to disaster.

There is no time to be lost in setting in motion forces for the creation of a cooperative community of nations and peoples in Asia and the world. We urge all Governments, and particularly our own Government, to move boldly ahead in this direction.

In planning for the future we count heavily upon the cohesive force of the world Christian movement. In every country in the world—allied, enemy and neutral in this war—we have brethren in faith with whom fellowship has not been broken. We Christians, together with all people of good will who share the foregoing purposes, must be quick to gather up the broken threads of a common life after the war and weave them into a pattern of organic unity. This creative task of goodwill is one which we as Christians cannot refuse nor relegate to others, and for which we must now be making preparations. In the uncertain years that lie ahead it may be the function of the world Christian fellowship literally to hold the world together.

T. T. Brumbaugh (Japan)
William W. Cadbury (China)
Russell L. Durgin (Japan)
Harold E. Fey (The Philippines)
Galen M. Fisher (Japan)
Daniel J. Fleming (India)
Elmer K. Higdon (The Philippines)
Joseph B. Hunter (Japan)
Charles W. Iglehart (Japan)
A. K. Jensen (Korea)
E. Stanley Jones (India)
Kenneth Scott Latourette (China)
Frank C. Laubach (The Philippines)
Arthur T. Mosher (India)
Vernon Nash (China)
Malcolm Pitt (India)
Dorothy M. Roberts (China)
Ida S. Scudder, M.D. (India)
John Smith (Japan)
Ray Sweetman (China)
Ralph T. Templin (India)
Winburn Thomas (Japan)
Theodore Walser (Japan)

# Non-violence and Natural Force*

By RICHARD B. GREGG

THE BELIEVER IN NON-VIOLENCE is convinced from examples in nature that the potentialities for goodness which are in a group, a corporation, or a nation can by suitable stimuli be made to grow beyond their potentialities for evil. The law of stimulus and response applies as much to a forest as to a single tree, to the actions of a herd of elephants as to the actions of one elephant. Among human beings a collective does not have initiative. That has to be supplied by individuals. A human collective, however, may have more versatility and intellectual range than an individual. And by means of suitable organization and discipline, groups are capable of highly moral actions and reactions. Examples are found in the various struggles by non-violent resistance under Gandhi's leadership. Disciplined groups of several thousand people, mostly peasants, stood up to attacks by police with clubs, or to gunfire by soldiers, yet maintained complete non-violence and did not run. Other examples are the building of European cathedrals and the growth of consumers' cooperatives.

Reinhold Niebuhr's statement that human collectives are less moral than the individuals which compose them is a highly doubtful generalization. The ability of a human collective to behave morally depends on such factors as the extent and duration of its organization, the structure of the organization, its size and the sizes of any component subgroups in it, the inter-relationships of the subgroups and the kind of integration among them, the kind of discipline (if any) to which the members have been subject, the duration of that discipline, the clarity of the ideas of the group and the extent of their permeation among the members, the extent and clarity of understanding of the group's purposes among its members, the loftiness of the common ideal, the simplicity or complexity of their general purpose, the quality of leadership, and the moral character of the environment. With so many variables as that, the broad generalization of the immorality of all human collectives is not valid. It disregards too much pertinent evidence. It does not square with the results of a wealth of careful biological experiments and observations.

Some of the doubts about the efficacy of non-violence are due to overlooking the necessity, in most cases, for many repetitions of the gentle stimulus, and forgetting that this *takes time.* We may learn also that in order to bring best results the stimuli need to be spaced in a certain rhythm. Everybody realizes that a war is made up of many, many skirmishes and battles, but plenty of non-violent resisters seem to expect this other kind of struggle to be successful and finished in short order. If success is not prompt, they get badly discouraged. The lack of immediate victory does not prove the inefficiency of the method. The discouragement proves only a failure to understand the process. Those same people realize that in order to become a physician a person must go through eight years of grammar school, four years of high school, four years of college, four years of medical school, and sixteen to eighteen months of hospital interneship—in all, twenty-five or twenty-six years of preparation. And success in the profession can come only after at least five more years of work. All that time is generally considered well spent.

Yet in India and elsewhere some critics have called the method of non-violence folly because the teaching of it to a nation of 400,000,000 people, and their struggle to win freedom by such means, have won only partial advance after an effort lasting twenty-five years. If freedom is worth anything it is worth fifty or a hundred years of unstinted effort in rigid adherence to the method. The use of this non-violent method leads to steady improvement, while the use of violence gives a double-phase result, with a reversal and ultimate loss of what at first may seem to be won. It should be realized that in India each time a large scale-collective application of the method was used—in 1920-21, again in 1930-32, and again 1942-3—the unity of the desire of all parties and sections of Indians for freedom has steadily increased, despite the British governmental propaganda about Indian disunity. Also, Indian courage and self-respect have immensely increased.

## Progress Through Growth

Some sociologists believe that there can be no moral progress in society because, they say, the effort involved in any moral reform is always followed by an equal reaction, a swing-back of the pendulum. Society has an inertia, they aver, that resists all substantial change.

To the extent that society is a loosely integrated organism, an organism in, as it were, a low stage of development, it would tend to react to a stimulus in one of the three ways described by Kotschau in my previous article. In response to violent stimuli or to reforms introduced by coercive or deceitful methods it would presumably react in double phase, first yielding to the violence and then later reversing its acquiescence. But in response to honest, gentle stimuli, society would be likely to act in one-phase fashion with no swing-back. Note, for example, that the social alterations caused by the stimuli of using the spade and the automobile, a tool and a machine, have been constant without, as yet, any repudiation or reverse response. Hence the above cited belief of certain sociologists seems to be too broad an assertion. If a reform be introduced into society by a gentle persuasion such as non-violent resistance, the analogy would indicate that the reaction would be monophasic and permanent.

Growth has another aspect that helps to explain the power of non-violence. Growth results in more than increase in size. When an organism grows there is a development of its ability to reach and use a wider range of energy. When a seed sprouts, its stem and its new leaves enable it to tap the energies of sunlight. The growing animal becomes able to roam over a considerable territory and thus enlarge its food sources, use the protection of vegetation, and perhaps enlist the support of some of its own kind. The growth of a highly developed organism like man enables him to reach, mobilize, organize and use a

* The second of two articles from the new revised edition of Gregg's *The Power of Non-Violence*, published last month by the Fellowship of Reconciliation. This material is taken from the chapter on "Persuasion," one of three chapters added to the original book.

constantly increasing range of energies and subtle forces, some in the outer world of nature, others in the intellectual and moral realms through the cooperation and mutual assistance of his fellow men.

The wider range of energy met and used by the growing organism enables it better to maintain its equilibrium and its life in the face of adverse forces it may meet. Thus it acquires the ability to adapt itself to changes. This ability promotes survival.

Since growth takes place in response to gentle stimuli *only,* it would seem clear that the greater the use of gentle stimuli the more extensive become the possibilities of growth in more and more directions, and hence the wider becomes the range of energies available to the user of gentleness. In contact with this wider range of increasingly subtler forces he is either unconsciously supported by them or is consciously able to mobilize them and call upon them for support. The more he understands the method and the more he becomes aware of these subtler forces, the more he can rally them in support of a purpose that promotes their harmonious activity. By extension, that group, tribe or species which relies increasingly on gentle stimuli has the best chance for survival. That is why sensitive and delicately poised man has survived the monsters of earlier ages.

In nature the succession of gentle stimuli creating growth heals the effects of all the violent destructive forces such as earthquakes, floods, avalanches, lightning, and fires. Also, by building up forests and grasses and promoting ecologically useful wild animals, the gentle stimuli control the effects of storms and prevent floods and soil erosion. In the human realm the stimuli of gentle kindness not only heal the effects of violence but create relationships and situations which prevent violence.

For these reasons the intelligent user of non-violent resistance has for his help far greater total resources of energy and power than does his violent opponent. Some of these subtle powers are slow in action, but they are inevitably sure. History indicates that they are also more enduring than the forces of violence.

## Superiority of Love

Love is so similar to and so harmonious with the other subtle creative forces of nature that in the human realm it may be considered one of the higher conserving and growth-producing forces of nature.

Besides the use of many repetitions of gentle stimuli, one other explanation of the power of love is this: Full-fledged love is the sentiment that grows out of *awareness of the unity and wholeness of the entire human species,* and expresses that awareness in all sorts of ways. The whole of anything is not only more than, but also different from, the sum of its parts. Deeds informed by a loving desire for the unity and wholeness of society therefore make contact with and enlist the help not only of the forces of the separate elements of society but also of the forces that comprise and come out of its unity and wholeness. We know that sentiments—that is, organized systems of ideas and emotions—are extremely powerful in initiating, sustaining, and guiding all human conduct. Of all the sentiments, love is, for the above reasons, both quantitatively and qualitatively superior. Therefore, in the long run disciplined love always wins, and even in the short run disciplined love wins often enough to make it far, far superior to violence. Furthermore, intelligent love promotes deeds which provide normal relationships, healthful surroundings, and healthful and creative outlets for energy of all people of all ages. It thus reduces frustrations to a minimum, reduces anger, resentment, and violence.

## Power of Persuasion

In a conflict, what needs to be done is to change not people as such, but their attachment to certain ideas, sentiments, desires, and assumptions. Such changes are not effected by killing or wounding the opponents. Usually being wounded and having friends or fellow countrymen killed does not cause people to abandon their ideas, sentiments, and so forth, but only to postpone trying to carry them out. To get opponents to adopt new ideas, new sentiments, new assumptions, you have to get them to want the new ideas, new sentiments, and new assumptions. The word "persuade" means literally "to make (something) sweet" to somebody. The new ideas must be made attractive to the opponents. Then they will take and hold the new ideas of their own will, and then the task is done. Ideas are not made attractive by harming the people whom you want to have adopt them. But love and disciplined non-violence are persuasive.

In the persuasion of non-violent resistance there must be not only gentleness and love but also truth. All human beings make mistakes. Adherence to truth requires public admission of our mistakes. If out of pride or ignorance we wait until others show up our error, then people mistrust both our ability and our honesty. But public confession of faults promotes trust because it shows (1) a realization of one's likeness to all other people in respect to liability to error, hence a sense of human unity, (2) humility, (3 )honesty, (4) disinterestedness toward one's own personal fortunes, (5) willingness to pay the price of mistakes, hence (6) a sense of responsibility, (7) courage, (8) a revival of intelligence after a lapse into stupidity, and therefore (9) worthiness to be given another opportunity, (10) a realization of an intellectual prerequisite to progress. When I have made a mistake in arithmetic I cannot correct it and get the right answer until after I have admitted, at least to myself, that I had made the mistake. Thus in the moral realm frankness and humility are modes of intelligence.

Summing it up, we see that non-violent resistance with love is able to conquer cruelty, violence, aggression, and other abuses of power because (1) the power of many repeated gentle stimuli to cause surpassing growth of the potential decencies in the opponent is sure, (2) the user of gentle stimuli has aiding him a wider and more enduring range of forces than does the user of violence, (3) the whole is greater than the sum of its parts and as love expresses the unity and wholeness of the human species, it is a power greater than those that express only individuals or other parts of humanity, (4) intelligent love acts in advance to reduce or prevent frustrations and thereby to reduce violence to a minimum, (5) truth is an important element in non-violence, and as truth promotes mutual trust, it is highly persuasive, (6) these powers are effective between groups as well as between individuals.

# A Victory of Non-violence

## AN AMERICAN MISSIONARY'S ENCOUNTER WITH JAPANESE SOLDIERS*

THE JAPANESE TROOPS were approaching the abandoned American university a couple of miles outside the little Chinese village. Morgan, the lone American missionary, could hear the menacing rattle of machine guns in the distance, but he decided to stand his ground at the gate of the institution where he had taught until the invasion drove the school westward.

They came along the road, dirty, disheveled, tense, and utterly weary. "As tired-looking a bunch of men as I've ever seen," Morgan thought. It was a small contingent, a sort of advance guard. They would trot along the road a hundred yards and then squat down, set up a machine gun, and spray the road ahead. They paid little attention to the man standing at the gate as they went by.

By the next day the near-by village had become a field headquarters for the Japanese, and Morgan's tribulations began. As he had anticipated, the Japanese officers cast covetous glances at the University buildings. Soon a group of them called on Morgan and demanded the keys.

The missionary declined, politely but firmly. He explained that the property belonged to American mission boards, that it had been entrusted to his care, and that he was not at liberty to hand it over to anyone else. An hour and a half of discussion, with the missionary remaining always courteous and friendly but firm, convinced the Japanese, and they left.

Unfortunately, that was not the end. Periodically, on an average of every two weeks, the village garrison changed, and each new contingent had to be persuaded all over again. Through it all Morgan did his best to remain calm and friendly.

But then came a major crisis. This time something had happened to make the Japanese less patient, less willing to listen to the missionary's arguments. Morgan sensed the tension in the air immediately. He could not help reflecting that, isolated as he was, the Japanese could do with him as they would. No "neutral" witnesses could be summoned to testify against them. A dead missionary could easily be explained by a "stray bullet—so sorry!"

Nevertheless, he greeted them cordially, as always, and refused their request for the keys of the building with his usual regretful firmness. This time, though, the most eloquent arguments appeared only to inflame the soldiers more. Finally the officer in command of the detachment delivered an ultimatum.

"Surrender the keys," he demanded flatly, "or we shoot you!"

The missionary stood a little straighter. "I have told you how it is," he replied quietly. "I wish you no harm, but I cannot do what you ask. I cannot."

Grimly the officer counted off three men and lined them up facing the missionary.

"Ready!" he commanded, and rifles were raised to shoulders. He turned to the missionary. "Surrender the keys!"

"I cannot. I have told you I cannot. I have no hatred against you. I have only the friendliest feelings for you. But I cannot give you the keys."

Morgan thought he could see admiration in the soldiers' eyes—admiration and baffled wonderment, as though they could not understand what held him erect and smiling in the very face of death.

Later he said, "I felt no fear. I was perfectly calm. My only prayer was for enough love to disarm my attackers. I tried to show them—the men as well as their officers—that I had in fact the friendliest feelings for them, that I recognized them as brothers and would refuse to co-operate with them only when they wished me to do something wrong. I tried to put that into my eyes as well as into my words."

"Aim!" The officer's voice was gruff as he turned once more to the missionary. "Your last chance," he said. "Surrender the keys!"

There was a pause. Morgan looked directly at the men who stood with leveled rifles facing him. He spoke to them, as one man to other men, as brother to brother.

"I cannot," he said. "You know that I cannot."

The stillness was absolute. The missionary looked steadily at the men. The officer seemed uncertain, the men uneasy. Then, one at a time, they relaxed. Rifles lowered; sheepish grins replaced their looks of grim determination.

But the danger had not passed. One man of the firing squad apparently was disgusted and embarrassed at the outcome of this situation. He gripped his rifle and glared at Morgan.

"Father," the missionary prayed, "a little more love. Let me show a little more love."

The soldier had decided. Abruptly, with fixed bayonet on the end of his rifle, he launched himself full tilt at the missionary.

"He came fast," Morgan recalls, "and he came hard. At the last instant, when the point of his bayonet was not a foot from me, I dodged. He missed, and the force of his charge carried him up to me. I reached around him and with my right hand grabbed the butt of his rifle. (I thought that under the circumstances even a pacifist might be forgiven for holding a rifle!) With my left hand I grasped him around the shoulders (and that was a pretty hefty grip, too, for a pacifist) and pulled him tight up against me. I was taller than he, and he had to look up at me. When our eyes met, his face was contorted with fury.

"Our glances locked and held for seconds that seemed ages long. Then I smiled down at him, and it was like a spring thaw melting the ice on a frozen river. The hatred vanished and, after a sheepish moment, he smiled back!"

That was the end. A few minutes later the soldiers, like a group of bewildered children, were trailing the missionary into his living quarters—to have tea before their tiring journey back to the village.

* This is an actual incident in the career of a missionary well known to the editors, and an FOR member. However, for obvious reasons his real name is not used in this story, and the location of the incident is not revealed.

# FOR Changes Its Relationship to NSBRO

The FOR National Council, meeting in New York on December 9, 1944, voted to withdraw from its voting membership in the Board of Directors of the National Service Board for Religious Objectors but to maintain a continuing consultative relationship with that body.

Whether the FOR should continue or should terminate its active participation in the NSBRO is a question that has been dominating the discussions of FOR members across the country for more than a year. It was finally decided at the September meeting of the National Council to take a poll of FOR members in CPS camps and prisons to determine their opinions on the question. The Council made it clear that this poll was merely a means of seeking the advice of members of draft age and that it would have to make its own decision in accordance with what it considered the best interests of the Fellowship at the close of the poll.

At its December meeting the National Council considered the results of the poll (given below) and after considerable discussion voted almost unanimously to send the following communication to the NSBRO:

*The Council of the Fellowship of Reconciliation requests the National Service Board for Religious Objectors to change the status of the FOR in relation to NSBRO from a* voting *membership on the Board of Directors to a* consultative *relationship, in which latter capacity the Fellowship wishes to continue co-operation with NSBRO in the various types of service to conscientious objectors which do not involve us in agreements with Selective Service pertaining to the administration of conscription. In accordance with this distinction, and provided the NSBRO accepts the new arrangement, the FOR Council authorizes:*

*(1) Appointment of a representative to consult with the Board of NSBRO.*

*(2) Payment to NSBRO, as heretofore, of* $50.00 *a month from the FOR fund for conscientious objectors.*

*(3) Continuance of a voting member on NSBRO's Committee for Relief of Dependents of conscientious objectors.*

*(4) Collection and transmission of funds, contributed by those of our members desiring to do so, for support and servicing of conscientious objectors in CPS and in prisons.*

The chief basis for this decision to withdraw from voting membership in the NSBRO, and so to indicate that the FOR could not continue to take responsibility for participation in decisions involving the administration of conscription, was the fact that the FOR has always operated as a Fellowship rather than as an organization proceeding entirely by vote of the majority, and accordingly has not in the past undertaken any project, as an activity of the Fellowship as a whole, on which the membership was not in general agreement. Therefore it was decided, and especially in view of the results of the poll, that the FOR should no longer continue its voting membership in NSBRO with opinion in the Fellowship so sharply divided as to the rightness and wisdom of such affiliation.

On the other hand, the Council recognized that the NSBRO, in addition to its administrative functions, carries on a good many service activities for the benefit of FOR members and other COs in CPS and prisons—classification and appeals assistance, educational work in CPS, provision for dependents of COs in CPS and prison, work for men in prison, and other similar activities. In view of that fact and of the desire of many FOR members to maintain our relationship with NSBRO, the Council as a whole was clear that we should have at least a consultative working relationship with NSBRO and the denominational service committees represented in it in order to facilitate participation in the above activities.

Of the 445 men who expressed opinions in the poll, 281 or 63 per cent were in favor of FOR's withdrawal from NSBRO, while 164 or 37 per cent were in favor of maintaining the relationship. The replies were only about one-third of the 1400 ballots sent out, yet that is a much higher proportion of returns than is received in most such polls.

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## Council Statement on Dumbarton Oaks Plans

The FOR Council on December 9 discussed the Dumbarton Oaks proposals and adopted the following statement:

Praiseworthy as was the purpose of the Dumbarton Oaks Conference to lay the foundation of an international organization for the maintenance of peace and security, we believe that the report of that Conference has served to deepen the feelings of uneasiness and doubt, even of disillusionment and cynicism, which fill the hearts of multitudes of Americans today as they think of the peace and the post-war world. We believe that thoughtful and courageous action promptly taken can alter this situation and stir new hope in the hearts of men in this land and throughout the world. Fortunately the Secretary of State in making public the Dumbarton Oaks report declared that "the proposals in their present form are neither complete nor final" and added: "These proposals are now available for full study and discussion by the peoples of all countries."

Our criticism of the Dumbarton Oaks proposals and our conviction that they will not in fact lay the foundation for genuine world organization stem from the internationalist point of view—a position to which the Fellowship of Reconciliation throughout its history has steadily adhered. We believe that progress in international organization cannot be built on the essentially isolationist formula of a military alliance of armed national states.

In the Dumbarton Oaks plan the *General Assembly* in which all "peace loving nations" are to have membership is completely subordinated to a *Security Council* of eleven members on which five leading powers held permanent seats. The draft plan specifically forbids the *General Assembly* even to "make recommendations on any matter relating to the maintenance of international peace and security which is being dealt with by the *Security Council.*" The admission of new members, suspension of members, the election of the Secretary-General, the investigation of "any situation which may lead to international friction or give rise to a dispute," the imposition of economic sanctions, summoning contingents of armed forces of member nations and controlling their military operations—all these and many other crucial matters are left completely in the hands of the *Security Council.* Moreover, the possibility of orderly change which is so essential to a just and durable peace is almost completely ruled out because no amendment can come into force until all the powers having permanent membership on the *Security Council* have ratified such amendment. Since there will be an overwhelming predominance of military might in the hands of Great Britain, Soviet Russia and the United States, these three nations will thus in effect dominate the proposed "international organization." Its stability will therefore depend entirely on the continuance of a military alliance among them. This is not an advance over the League of Nations, but a retreat to the vicious and undemocratic Holy Alliance of armed nationalistic states following the Napoleonic Wars. It is as if the Founding Fathers of this nation had attempted to found the Union on the basis of a "Security Council" composed of New York, Pennsylvania and Virginia—all heavily armed—while the other virtually disarmed States were reduced to membership in an "Assembly" or Congress having only advisory functions.

We propose the following immediate program for this crisis:

1. That a conference of all the United Nations and neutrals be called at the earliest possible moment.

2. That the principles of the Atlantic Charter serve as the basis for the discussion of the objectives of the international organization for which such a conference would plan.

3. That the Conference seek to work out a plan for general limitation of armaments and a convention for the abandonment of conscription by all nations.

(*Continued on page* 13)

# News from the Peace Front

# Council Votes Budget Increase And Changes in Election

At its meeting on December 8 and 9 the National Council of the Fellowship of Reconciliation adopted a report of the Special Committee on Structure and Organization, of which Claud Nelson is chairman. The object is to give more effectual geographical representation on the Council to the growing FOR membership in all parts of the country. One provision in the new plan is that one-half the members of the Council shall in the future be elected by the Regional Committees, or Regional Conferences, so that every area may be more directly represented and its viewpoints and concerns be considered in determining all policies and activities of the national organization.

The Council approved substantial additions to the annual budget, Since we do not now have regional offices in New England and the Middle Atlantic States as we do in the Midwest, South, and West, provision for opening such offices staffed with a secretary and other personnel had to be put into the Budget for 1945 which the Council received from the Finance Committee and adopted. Because our work in 1944 has borne fruit and because 1945 is certain to bring the Fellowship even greater responsibilities, various other additions to the budget were considered essential. If the membership agrees with the Council's judgment and responds accordingly, this will enable us to engage a new Associate Secretary, a person to devote full time to finance and membership, and trained and experienced executives for Race Relations and Forerunners work. The 1945 budget stands accordingly at $134,279.00, an increase of about thirty per cent over that of 1944.

## FOR Secretary for Uruguay and Argentina

On January first Senor J. Antonio Loureiro of Montevideo began work as the first Secretary of the Fellowship ever to be engaged in South America for more than local group activities. This appointment recalls the three years' service of Charles A. Thomson as Latin American F.O.R. Secretary in the Carribean area from 1929 to 1933, but his assignment did not take him south of the equator. Senor Loureiro has been engaged by the F.O.R. groups in Montevideo and Buenos Aires to travel and promote the ideas of the Fellowship in Uruguay, Argentina, and possibly other countries. The International Fellowship of Reconciliation is cooperating in his support. Senor Loureiro will devote one half of his time to the Fellowship while reserving the other half of his time to *Good Will Industries* of Montevideo of which he has been the head for a number of years. In connection with *Good Will Industries* he has travelled through Argentina, Brazil, Chile and Peru. He is a popular leader in summer camps and institutes for young people. He is a native of Spain but has lived most of his life in Uruguay.

## Japanese-Americans May Return to Coast

On December 18 Gen. Pratt announced that all "American citizens (of Japanese ancestry) who have been determined not to be potentially dangerous" may now return to the West Coast. Pratt said that he expected "no trouble, other than verbal, of any magnitude." Of the 112,000 or so evacuated from the Coast states 32,800 have left for jobs and homes in the East and Middle West, 18,700 are at Tule Lake, and 61,000 are still living in the eight centers operated by the W. R. A. Officials doubt that more than 10% of these will have the courage to go back to the Coast in view of the antagonism expressed by some individuals and publications. Governor Warren of California has called upon all Americans to comply "loyally, cheerfully, and carefully" with this decision.

## Duck Ponds or Penicillin?

Dr. Don Charles DeVault, chemist arrested October 27 at the CPS camp at Germfask, Michigan, on a charge of refusing to perform work of national importance, was sentenced December 1 by Federal Judge Fred M. Raymond at Grand Rapids, Michigan, to serve 3½ years in the federal penitentiary.

Dr. DeVault, a trained chemist and a graduate of California Institute of Technology, with a doctorate from the University of California, was working on research and teaching graduate students at Stanford before the war. He was sent to prison for refusing induction into the Army, and was later paroled to CPS camp. Working for some time on the Seney Wildlife Refuge, building dams and duck ponds for migratory fowl, he devoted his spare time to experiments in a makeshift laboratory, giving up even his furlough time to it. At last he served notice that his research, in which he was working on new anti-biotic assay techniques for penicillin-type drugs, would now take his full time, all attempts to get SS to recognize it as being of national importance having failed. A month later he was arrested.

Dr. DeVault, stating that his "case is no different from thousands of others in conscientious objector camps," repeatedly urged that better use be made of the talents of these men. Not only his own case, but those of the many others whose talents and skills are wasted and ignored by most of the CPS projects, made him decide that he could no longer build duck ponds when he was fitted for valuable chemical research.

## Court OKs Firing Teacher

The Florida Supreme Court on November 28 denied the appeal of Edward O. Schweitzer, a pacifist teacher of science in the Ada Merritt Junior High School in Dade County, Florida. Schweitzer was dismissed by his county school board last year after he had applied for and received classification in 4E as a conscientious objector.

In denying his appeal, the court held that "the true test of patriotism can accurately be measured by the willingness of the citizen to bear arms in the defense of his country," and that Schweitzer was therefore legitimately dismissed under the Florida law which provides that a teacher must inculcate "by precept and example the principles of truth, honesty, patriotism, and the practice of Christian virtue." The National Committee on Conscientious Objectors of the American Civil Liberties Union is considering an appeal from this decision to the United States Supreme Court.

## Friends CO Fund Short

Contributions for Friends CPS in 1944 have fallen $50,000 short of expenses, according to the latest AFSC financial statement. The great increase in the number of dependents in need of financial assistance is partly responsible for this deficit. Allotments to dependents have more than tripled since early summer and now run between $2,000 and $3,000 a month. It is expected that the amount needed will continue to increase as the expanded dependency program gets under way. Another reason for the large deficit is the exhaustion of personal resources of CPS men who contributed substantially in previous years. A vigorous effort is under way to present this situation to Friends and to members of other churches.

## Worldover Press Expands

Dr. Samuel Guy Inman, expert on inter-American affairs, author of many volumes on Latin America, and former professor at Yale University, Columbia University, and the University of Pennsylvania, has become President of Worldover Press. Devere Allen, the founder of the Press, will continue as Director. Dr. Philip H. Gray, Jr., formerly Assistant Professor of English at the University of Wisconsin, has joined the staff of Worldover Press as Executive Editor, and in addition to his other editorial responsibilities will edit a regular column of books devoted exclusively to international affairs.

## Peacetime Conscription Hearings Coming Soon

Congressman Clifton A. Woodrum, chairman of the House Committee on Post-War Military Policy, recently announced that in spite of opposition from religious and other groups, his committee will proceed to hold hearings on peacetime conscription soon after President Roosevelt is inaugurated for his fourth term on January 20.

Chairman Andrew J. May, of the House Military Affairs Committee, plans hearings in January and predicts that the drive will be for purely military training, without any CCC or NYA frills. And he has admitted that the longer we postpone consideration of a compulsory military training bill "the more difficult it will be" and "it may be impossible to pass such legislation after the war because there may be a reaction against anything military."

This is the cue for action by the forces of peace. The crucial test will come within the next few weeks. The job will be difficult, for the latest Gallup Poll shows the proportion of proponents of peacetime conscription has increased to 70 per cent in the past three months. Most of these people undoubtedly think of the proposed program in terms of maintaining the peace; they must be made to see how it actually will endanger the peace by leading to future armament races and increased fear and suspicion among nations.

Many influential groups have come out recently in opposition to any consideration of peacetime conscription until after the war. Among these are the Archbishops and Bishops of the Roman Catholic Church; the American Federation of Labor; the Farmers Union; the Rabbinical Assembly of America; the Southern Baptist Convention Committee on World Peace; and the Post-War World Committee of the Catholic Association for World Peace.

The FOR is making available a large assortment of anti-conscription literature for use in the campaign to awaken Americans to the facts (see back page) and is urging all members to take the lead in forming anti-conscription committees in their local communities to distribute this material. The next Forerunners studybook will be on the subject of peacetime conscription, written by Harrop A. Freeman, and should be ready for distribution within a few weeks. Other leaflets and pamphlets are also being prepared.

All may help the cause by writing to Congressmen and local newspapers. Lists of the names of all Senators and Representatives and the chairmen of important Congressional committees may be secured free by writing to the Clerk of the House of Representatives, Washington, D. C.

## Inconsistent AFL

At the National Convention of the American Federation of Labor early in December, 1944, Arthur Horner, Communist Party member of the British Miners Union, proposed that German workers be conscripted after the war to rebuild the war-torn areas of Europe. In opposition to this policy, which is similar to that adopted by the CIO, President William Green said: "Americans cannot possibly let the German millions be enslaved when we are sending our boys to the battle fields to fight against slavery."

At the same time the convention rejected a resolution introduced by A. Philip Randolph, head of the Brotherhood of Sleeping Car Porters, that "auxiliary" unions be abolished. Randolph charged that some of the largest unions, of which he named the Boilermakers, the Machinists, and the Electrical Workers, have set up these auxiliary unions to provide segregated quarters for Negro workers in those trades. In effect this gives first-class membership to white workers and second-class membership to Negroes. The refusal of the white unions to take down the racial bars was more pronounced, and more bitterly expressed, than ever before.

## Dumbarton Oaks Plans

(*Continued from page 11*)

4. That it be recognized that in structure and procedure such an organization must be essentially international and democratic. As suggested in the memorandum submitted by the Chinese government, no nation should be permitted to vote in a case where it is involved and thus allowed to exercise a veto on international action.

5. That the final provision of the Dumbarton Oaks draft unequivocally and permanently excluding from the jurisdiction of the international organization, action by the big Powers "taken or authorized in relation to enemy states as a result of the present War," be eliminated. Many of the most crucial issues affecting world order and peace will be inextricably bound up with such action with reference to Germany, Japan and other Axis allies or satellites. Instead the conditions under which these nations may be admitted by democratic action to the world-organization should be promptly defined and made known to the peoples of these countries.

Progress toward genuine international organization is beset with many obstacles and human resources are inadequate to overcome them. But the Christmas season reminds us that God Himself desires to dwell with men. Let us in our doubt and despair open our minds and hearts to Him. Thus new wisdom and power will flow into us and in the sky the Star of Hope shall appear.

## Wages Not So High

A report by L. Metcalfe Walling, administrator of the Wage and Hour Act, reveals that "considerably over 4,000,000 workers are still paid less than 40 cents an hour, less than $16 for a 40-hour week, and one-third of all workers outside agricultural and domestic service, including those under the Act and those outside its protection, got $24 or less for a 40-hour week last year despite supposedly universal high wages."

# Jottings

George M. Houser, Director of Action Projects for the FOR, is making a survey of prisons and prison conditions from men who have served time. He is anxious to be informed of the names and addresses of men who are released from prison, in order to be able to send them questionnaires about conditions. Over thirty reports have come in, in which nine prisons are represented. This does not cover all the prisons by any means, and at least four or five from each should be studied for accuracy and a rounded picture. Any help will be appreciated.

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*The Call* of December 15, 1944, quotes the following letter from Italy: "Material conditions here are very bad. Two-thirds of the workers are unemployed . . . Half of their houses are destroyed . . . Fascist elements, capitalizing on the general despair, are creating riots. The farmers occupy the latifundias. A decree has been issued that no land-taking will be confirmed, unless warranted by a commission in which the Chief Provincial Judge, the landowner, and land claimer, and a representative of the Agricultural Technical Institute have seats. Since No. 1 and No. 4 are frequently Fascists, this Commission is not expected to work smoothly."

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Consumer co-operatives in Great Britain today have 9,000,000 members. In the Scandinavian countries they serve a third of the population. In China 10,000,000 people are co-op members, and 100,000,000 families throughout the entire world belong to co-operative associations.

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If any physician or other member of the Fellowship would like to help a parolee from federal prison who is studying medicine, he could use a second hand copy of Schotta's *Anatomy* and all standard works on histology; and would appreciate a new or old microscope. Write to A. J. Muste, 2929 Broadway, New York 25.

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*Peace News* for September 29 quoted from Bernard Shaw's latest book, *Everybody's Political What's What*, "The social organization of conscientious objection is the only method now available for preventing a war."

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Henry Leder in *The Call* for December 15, 1944, says that during his recent trip to Moscow Eric Johnston is said to have had the following exchange with Stalin:

STALIN: "Why do you Americans worry so much about China? You cannot understand the Chinese. You cannot handle the situation."

JOHNSTON: "But Mr. Stalin, if we do not, then who will?"

STALIN: "I will."

# The Peacemaker's Bookshelf

## The Church and the War

*The Relation of the Church to the War in the Light of the Christian Faith.* In *Social Action* Magazine, Dec. 15, 1944. 80 pages. 25c. Council for Social Action, 289 Fourth Avenue, New York 10, N. Y.

Twenty-six of America's outstanding Christian scholars working under the auspices of the Federal Council of Churches have issued this report. Both as a Christian and as a pacifist I felt a deep sense of gratitude on concluding the reading of this document. The very fact that such a report could be written and issued by the Federal Council in wartime provides considerable support for the statement made in the closing section: "The Church that began as a handful of unknown disciples has grown, tenaciously and irrepressibly, through the centuries. Its breadth now, around the globe, is undergirded with the depth and power of proved vitality."

This does not mean that this report minimizes the shortcomings of the Church. "In theory the Christian Church is one over all the earth," the report says. "In practice, both individual Christians and organized churches, Roman Catholic, Orthodox, or Protestant, have become so deeply involved in national or cultural loyalties that when serious conflicts arise, their loyalty to a universal church and to fellow Christians of other countries is often subordinated, if not temporarily extinguished."

Though the majority of the twenty-six signers are non-pacifists there is no whitewashing of the United Nations. Their effectiveness "as champions of world democracy is hampered by a deep-going ambiguity in their present status and practice."

As for "atrocities," they are not confined to one side: "Terrorist methods of GPU and Gestapo, brutalities of Japanese, Italian, Spanish, and German troops in the field and in conquered territories, food blockades and obliteration bombing by the United Nations in rejoinder, commando tactics and improved flame throwers, mass murders and robot bombs"—all these are "incidents in the global struggle."

God "is taking sides throughout the struggle, not with the Axis powers nor with the United Nations, but with the impulses toward good and against the impulses toward evil in every man and every group in both camps. God is not a combatant."

The warning against ordinary conceptions of patriotism and church loyalty is decisive and solemn: "The very group loyalty in which we take pride and find a basis for self-righteousness is a potent source of war."

Charles Clayton Morrison's concept of war as "judgment" is rejected. Men during war "are at once bound and free in exactly the same sense in which men are bound and free in the intervals before and after a war."

The Oxford declaration about war as "a defiance of the righteousness of God as revealed in Jesus Christ and Him crucified" is re-affirmed. "It is not God's will that war should come upon mankind at any time . . . nor is it a suitable instrument for good."

The report refuses to approve unreservedly the idea that those who die in war "are vicarious redeemers of our time. We share deeply in the desire of bereaved parents and comrades, and of chaplains and pastors to say such things, but they must not be said carelessly." It was "the unmixed revelation of love and power" in Calvary's cross that made it redemptive. "The good that one seeks for one's own part is likely . . . to be so entangled in evil that it produces Dead Sea fruit."

The state may not demand any absolute allegiance from the Christian or the Church, and "the true Church cannot and the institutional Church ought not to act as a belligerent, nor even as an unarmed co-belligerent in any war." The individual Christian must decide, therefore, whether in good conscience he can or cannot participate in war. Conscience may "not be adjourned in war time."

There are, however, certain points in the report about which, in my opinion, questions may be raised. Some of them have to do with current political developments and issues, and these we do not have the space to mention. Others we touch upon briefly.

Military victory is mentioned at one point as being among the things for which prayers "can be offered, with or without Christian insight and faith." I find it difficult to grasp just what is meant here in view of the Commission's other statement that the Church is not in the war, that God is not on one side or the other in the war.

The report points out that, on the basis of the general conception of Christianity on which all agree, a minority of its members are pacifists and the majority are non-pacifists and support the military campaign of the United Nations against the Axis powers. The dangers against which each group needs to guard are set forth in truly Christian spirit and pacifists will do well to be alert against the particular temptations which beset them.

Non-pacifists, it seems to me, on the basis of this Report need to give further thought to certain questions: For example, the Report admits that to Christians of the first centuries, the concept of Christians fighting against fellow-Christians in opposing armies would have been inadmissible and blasphemous. Are we sure that in the twentieth century, when Christians are to be found "around the globe," another standard of judgment may obtain? Surely, the basic question as to the nature of the Christian fellowship itself and what is meant by an ecumenical church is here raised.

The Commission makes the powerful statement that the Church "must resist, by open criticism and persuasion, the theory and the attempted practice of 'total war.' "No matter what the provocation, however great the extremity of military peril—even to the imminence of military defeat—the Church dare not approve a supposition that military expediency or necessity can ever rightfully become the supreme principle of human conduct." But if there are any circumstances under which Christians must be willing to run the risk of the military defeat of their own nation and its consequent conquest or possibly extinction as a nation, how can they justify participation in modern warfare at all?

The Commission in the self-same section asserts that in military training and service "many of the accustomed patterns of Christian conduct are replaced by training for ruthless efficiency in destruction." But, it asserts, it is vital "that the Church and all its members resist any temptation to acquiesce in the displacement of the primary Christian goals and standards by any others, in the lives of its young men." Just how are "accustomed patterns of Christian conduct" thus replaced by the practice of commando killing without "displacement of the primary Christian goals and standards"? What would psychologists say about this attempt to separate "patterns of conduct" and "goals and standards"?

That in practice Christians who accept war at all will be driven to accept whatever the military and political leaders adjudge to be necessary for victory is surely conclusively enough demonstrated, on the one hand, by the fact that in Axis countries Christians also support their armies and governments and on the other hand by the fact that the truly noble non-pacifist members of this Commission believe that "rigorous blockades of foodstuffs essential to civilian life, and obliteration bombing of civilian areas" are "justifiable on Christian principles" and that "today war against the Axis powers, by all needful measures, is in fact justified"!

Finally, we have according to the Commission one generation "to restore a shattered world and to transform it from widespread anarchy to ordered community—before another war, still more devastating, breaks upon us and our children." If the victor nations fail as egregiously as they did the last time to live up to their professed aims, will the Church and Christian people support them again in that still more devastating war? Is there any reason why non-pacifist as well as pacifist Christians should not now give notice that they will not? Might that not be the decisive factor in persuading statesmen that they must find a better way?

It would be impossible to close without again expressing profound thankfulness for this statement of Christian faith and doctrine and this brilliant attempt, in a deeply Christian spirit, to work out the implication of this faith and doctrine for Christian conduct with respect to war.

A. J. M.

# Pro and Con

## A PAGE OF COMMENT BY READERS

### Pacifism in New Zealand

The Editors, FELLOWSHIP:

It is a wonderful comfort for us to hear from you folk overseas. Our groups in New Zealand are necessarily small and now in the sixth year of the war we are perhaps a little battered, especially as all activities are so difficult and so large a proportion of our keenest people have now been for nearly three years in detention camps and prisons. After the war I think one or two of you should pay us a visit.

At present I am living a quiet life. I was lucky to get a job night cleaning in a big school. It is strenuous but a useful job that I can do without compromising with the war-effort, and it gives me the maximum time for writing.

The position of pacifism in New Zealand is evidently in some ways similar to that in the United States. During the war of 1914-1918 there were very few Christian pacifists here and scarcely one of any note. Since then growth has been rapid. By 1936, the resolutions of the Methodist Conference were definitely pacifist. At the time of the outbreak of the present war, nearly a quarter of the Methodist ministers were actually members of the Christian Pacifist Society—a very large number of the others were sympathetic—and the opposition was largely composed of old and conservative men. My dismissal was really due to the fact that we were so strong that the conservative elements considered us desperately dangerous and mustered all their force to break us. The effects, however, will not all be evil. Our people will regain their courage and very many have commenced to think very seriously about the problems raised by the war. I think our people are the only ones who have vitality enough to do much in a Christian way after the war.

You will be interested to know that there are now many Anglicans who are becoming Christian pacifists. I think great things can be hoped for from my friends of this communion in the next few years. I wish I could say as much for the Presbyterian Church which at one time showed signs of a growing concern for peace. The strong influence of the Barthian theology, however, has had a chilling effect.

ORMOND BURTON,
Wellington, New Zealand.

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To the Editors:

There is a "concern" on my mind and heart that is haunting me so persistently that I am impelled to speak, and this Christmas season would seem to be the right time to do so.

I have been increasingly concerned about the attitude one finds and hears expressed so often by sincere and earnest Christians, even by Christian pacifists. I refer particularly to the appeals that are made to us to "forgive our enemies" as Christ forgave those who were crucifying Him.

We are not God, and our enemies do not bear the sole guilt for this mass sin of war. We all, in the Axis and the United Nations alike, are children of God who have sinned against Him and against each other. Let us not merely stoop to forgive *them* for what they have done to *us*, but also humbly to ask their forgiveness for what we have done to *them*. -Only so can the reconciliation which will lead to a true and lasting Peace be brought about.

KATHLEEN W. SAYRE.

**Readers are invited to contribute to this page. Please keep letters brief, since space is severely limited.**

### N. S. B. R. O.

To the Editor:

May I comment here upon my work as FOR representative on NSBRO, and my resignation therefrom, presented and accepted at the December meeting of the National Council?

I am deeply grateful for the privilege of association with the members of the National Service Board. Through the years I have belonged to no other organization in which I have found a stronger sense of fellowship and mutual consideration. I am deeply convinced that, in spite of errors and misunderstandings, the Board significantly serves the cause of pacifism. For all those pacifists who can in good conscience accept war-time conscription as a justifiable short-cut in democratic method to meet critical emergency, provided alternative service be offered to conscripts who are opposed to war, Civilian Public Service is a great opportunity. That at many points it has not been realized, is evident. Few if any camps approach the ideal of a fellowship in faith and works, where men bear witness to the power of love and so prepare themselves to be leaders in the reconciliation of a world grown bitter and unbelieving through hatred and fear. For this degree of failure there are many reasons which must later be stated and analyzed. At present I am very sure of only one—an inability, both in the camps and outside, to discover a common purpose. A CPS camp is hopelessly at odds with itself if it constitutes for some a witness of fellowship through service in love and for others forced labor without pay in the service of militarism. Yet in every camp these extremes are found. This single fact vastly multiplies the difficulties of effective administration. And it operates as well to divide our pacifist ranks everywhere and to divert our energies and so to limit our effectiveness.

Almost any workable compromise between these conflicting views is better than the present situation. I was therefore glad to vote in Council for the plan proposed by Nevin Sayre whereby the FOR becomes a consultative member of NSBRO without vote and without participation in what is somewhat cryptically called "the administration of conscription."

My resignation, presented after this action was taken, was not in protest against it. It was based upon my conviction that in view of my long association with NSBRO in the whole task, another and preferably a younger person might better serve to represent our membership and especially the perhaps considerable group in the camps who favored our withdrawal. I remain firm in my belief in the soundness and significance of the work of the National Service Board. I shall be glad if the action taken by the National Council frees us in FOR from our preoccupation with an issue that controversy has exaggerated, and so permits us to give ourselves more wholeheartedly to our common cause.

ARTHUR L. SWIFT, JR.

### COs After the War

The Editors,
FELLOWSHIP:

When we came into Civilian Public Service, many of us felt that it was just about the most isolated type of work a person could do. We weren't satisfied to be put on a job of making a cattle trail a little wider so that three sheep or cows could travel the road abreast instead of one. We wondered what digging water holes had to do with making the world a better place to live in.

So we started to crab about this and that, in fact about everything that came along. It has been said, "When better crabbing is done, COs will do it." We objected to everything.

But as time went on some of us found a niche in which we took refuge and started to work out a philosophy of living together and working on projects and taking part in the extra-curricular activities of camp life. Educational programs were set up. Recreation found many enthusiasts. The camps started to take on an air of being interesting. We often forgot about our determination to crab and started to work and play together, seeking a democratic way of life in an admittedly abnormal situation. Some of us studied in earnest to prepare for the day when we can get out in the world again.

Now the great day is nearer and we've done very little to bring it about. If we've been talking and preaching and crabbing just because we thought it was the right thing to do, but are planning when the war ends to return to our old jobs and live the same isolated lives with the same indifference towards our fellow men that a lot of us had before we were drafted, then whatever has been said about us by the American Legion, the Veterans of Foreign Wars, the general public, and the soldiers and servicemen who've been taking the brunt of this war's calamitous slaughter, will be true. If we don't do more than just talk about peace and good will, equality and loving your neighbor, after the war, well, we won't have done much to be worthy of the name Conscientious Objector. There will have been no conscience in it, just objecting.

GALEN M. HARVEY.

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